

IT'S VICTORY FOR DONOVAN

Decision of the Board of Fire
and Police Commis-
sioners.

SUSPENDED UNTIL DEC. 15

All of the Serious Charges Fall
to the Ground.

Chief Pratt's Request For the Cap-
tain's Removal Not Entertained—
Charge of Divulging Department
Secrets Ignored—Insured Time
Allowed McDonald a Clerical Er-
ror Made Without Fraudulent In-
tent—The Captain Used Bad Judg-
ment in Not Informing the Chief
About the Mount Pleasant Busi-
ness—That Saltair Episode Be-
lieved to Be in the Nature of a
Compromise Decision, But It Is
Unanimous.

After months of turmoil and delay,
the Donovan case has at last been
decided.

The result cannot be construed in
any other way than as a substantial
victory for Captain Donovan. The long
array of sensational charges filed by
Chief Pratt have mostly fallen to the
ground, and after the winning pro-
cess but little remains to be won
upon him. The most serious
one, that of divulging department se-
crets, is simply ignored.

As to the trifling of P. P. McDon-
ald with nine days' pay when that
officer was under suspension, the con-
clusion of the board is that this was
a simple mistake, done without any
fraudulent intent. The conflict of evi-
dence as to the Saltair episode is re-
ferred to, and the whole case is re-
viewed in an impartial manner.

Upon altogether, the decision will
bring general satisfaction, because it
was known that at least two members
of the board held widely different
views, and the length of time that has
elapsed since the conclusion of the
trial, together with the fact that all
concur in this report, is evidence that
those views were harmonized in this
decision, which is therefore something
in the nature of a compromise.

Chief Pratt asked for the removal of
Captain Donovan from the department.
The board simply suspends him until
the 15th of next month.

The Decision.

The decision was formally trans-
mitted to Mayor Baskin late yesterday af-
ternoon and is as follows:
To the Hon. Mayor of Salt Lake City,
Utah.

The board of police and fire com-
missioners have examined into the
charges preferred by Arthur Pratt,
chief of police, against Captain J. J.
Donovan, and in giving the result
transmitted to the board of police and
fire commissioners by his honor, the
mayor, upon the 8th day of September,
1935, and after hearing the testimony
of the witnesses and giving the
charges a full and fair trial upon said
charges, we make the following find-
ings of fact as shown by the evidence
upon the trial:

Findings of Fact.

Specification 1—Eliminating the word
"suspension" from the specification as
found the charges therein contained are
true.

Specification 2—We find that on or
about the 21st day of July, 1935, Cap-
tain Donovan received of Arthur Pratt,
chief of police, of absence, stating
that he wished to visit Bingham,
Mercur, Tintic district and Provo, to
visit some of his friends, and that he
also intended to go to Mount Pleasant,
Sanpete county, during said leave of
absence, but did not inform the chief
of the fact; that he obtained said leave
of absence, and that he was also
intending to go to Mount Pleasant,
Sanpete county, without visiting any
of the other places, but there was evi-
dence tending to show that he was
called home by a message that his wife
had died, and the board is of the opinion
that he did conceal from the chief the
fact that he was about to make a visit
to Mount Pleasant, and also the purpose
of said visit, if the evidence further
shows that one purpose Captain Don-
ovan had in view in visiting Mount
Pleasant was to ascertain whether the
charges against Ford contained in the
report referred to by the chief are
charges, however, that another purpose
for making this visit was to ascertain
whether his own picture was in a cer-
tain house in Mount Pleasant.

Francisco Woman and the Photo-
graphs.

Specification 3—We find that on or
about the 1st day of August, 1935,
Captain Donovan, contrary to the
rules of the police department and
without the authority or permission of
the chief of said department or the
board of police and fire commissioners,
took one of the regular policemen of
the department, F. P. McDonald, from
his duty as a policeman and sent him
to Mount Pleasant for the purpose of
finding out, if possible, whether the
charges made against Ford in the let-
ter referred to were true, with instruc-
tions to obtain any letters written by
any member of the department to the
Francisco woman, if any there were,
to obtain also, if possible, the picture
of any police officer or officers that
might be found in her house. The
evidence further shows that said Cap-
tain Donovan did go to Mount Pleasant,
and under an assumed name tried to ob-
tain from the Francisco woman any
letters or photographs of any members
of the police force that she might have
had in her possession.

McDonald Off Duty.

Specification 4—The evidence shows
that about Aug. 6 the chief of police
inquired of Captain Donovan why Mc-
Donald was not on duty. Captain
Donovan reported to the chief that he
answered to his question, that McDonald
was sick, but failed to state to the
chief that two days of the time that
he and he had been in the city was
absent from duty to Mount Pleasant
and was referred to.

Specification 5—We find that the
evidence shows that Captain Donovan
was not on duty on Aug. 11, without
pay, he marked him on the time-
book as on duty up to the 20th,
but we are of the opinion that this
was done by a mistake and without
any fraudulent intent.

Conflict of Testimony.

Specification 7—The gist of this
specification is that Captain Donovan
was detailed to visit Saltair and in-
vestigate as to the truth of the re-
port that said Policeman McDonald
had been at Saltair lake resort bol-
sore, intoxicated and guilty of using
vulgar and indecent language in the
presence of women and children, and
that after going to Saltair and making
such investigation he reported to the
members of the board of police and
fire commissioners and the chief of
the police department that he could
find no person or persons who would
or could testify to any misconduct of
said McDonald; whereas it was
charged that the said Donovan did
inquire of Deputy Marshal J. C. Davis
and other persons present at Saltair,
and was informed by such persons
that the conduct of said McDonald
was as stated. The testimony on this
point is very conflicting; the testi-
mony of Captain Donovan and of
Deputy Marshal J. C. Davis is to the
effect that they stated to Cap-
tain Donovan that they saw nothing
wrong in McDonald's conduct on this
occasion. On the contrary, Deputy
Marshal J. C. Davis testified that he
reported to the board of police and
fire commissioners that he reported to
Donovan the conduct of McDonald
was scandalous in the extreme and
that he was willing to testify in regard
to the same. The conflict of evi-
dence as to this matter is therefore
to be decided by the board. The testi-
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could find no one except Davis who
was willing to testify against Mc-
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there was a disposition on the part
of Captain Donovan to withhold from
the board the evidence as to Davis's
testimony, and from the chief
McDonald's condition after his
visit to Mount Pleasant.

Conclusions and Judgment.

If Captain Donovan regarded the
letter referring to Sergeant Ford of
sufficient importance to require an
investigation, it is very much to be re-
gretted that he did not hand the same
to the chief and let the latter
investigate, if one was to be had.
This long and expensive trial and the
consequent turmoil in the department
would have been avoided had the let-
ter been handed to the chief; and all
of the charges except those contained in
specifications 5 and 6 grew out of
this mistake on the part of Captain
Donovan.

Removal Not Required.

The board are of the opinion, how-
ever, that the dereliction of duty
on the part of Captain Donovan is not
sufficient to require his removal. Such
action on the part of an officer, how-
ever, even if entered into with the
greatest of motives, is not, unless
unusually and should not be lightly
passed over, and the board of the
board is that Captain Donovan be re-
primanded by the board and be sus-
pended from the time of his suspension
by the mayor until Dec. 15, without
pay during such suspension.

All of which is respectfully sub-
mitted.

FRANK JENNINGS,
N. A. EMPEY,
FRANK B. STEPHENS,
Members of the Board of Police and
Fire Commission.

From Mr. Noble.

To the Editor of The Herald:

In this morning's Herald is an inter-
view with one of the Pratt-Donovan
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I had just come out of the Grand
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to bear in this case?" to which I an-
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not hear them, but I never heard
Mr. Salisbury's name mentioned in
connection with the case.

I am also incorrectly reported as
saying that a certain person had been
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result would probably be given out.
By publishing this card you will
obviate, you truly, W. P. NOBLE,
Salt Lake City, Nov. 22, 1935.

HAWAII.

HATCH WILL NOT ASK FOR A PRO-
TECTORATE.

He Will, However, Use His Best En-
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Question Brought Before Con-
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HONOLULU, Nov. 15.—(Via. San
Francisco, per steamer Monowai,
Nov. 22.)—Minister Cooper is authority
for the statement that Francis M.
Hatch, the Hawaiian minister, de-
clined to go to Washington to ask
for a protectorate. This denial is
made to refute a well-defined rumor.
Mr. Hatch will use his best endeavors
to bring the annexation question before
the next session of Congress. High
officials state that nothing else will
satisfy this government.

The most important question now
before the executive is the consideration
of a petition asking for the pardon
of the rebels now in prison. It is al-
most an assured fact that several will
be freed on the anniversary day, but
it is understood that the real leaders
will have to remain in jail until they
divulge the hiding place of a large
number of rifles and a quantity of
ammunition, which is said to be hid-
den near Honolulu.

President Dole has named the 28th
as Thanksgiving day.

The United States steamer Benning-
ton returned to port yesterday with
Minister Willis and family on board.
Mr. Willis went to Hilo and during his
stay was hospitably entertained by
American citizens.

Some time ago San Francisco papers
stated that a man named Morrow was
engaging men in San Francisco to
join a filibustering expedition. It is
known that Morrow is in the city
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THE SALT LAKE TRIBUNE

SALT LAKE CITY, UTAH, SATURDAY, NOVEMBER 23, 1935.

Advertisers will find LARGER RE-
TURNS from an advertisement in
THE HERALD than any other paper.

NUMBER 154.

ANOTHER BIG CHICAGO BLAZE

Five Lives Lost, Two Persons
Fatally, and Many
Others Injured.

PANIC AMONG EMPLOYEES.

Sensational Rescue of Miss Olga
Kellar.

A Falling Floor Carries With It
Five Firemen, Four of Whom
Meet Instant Death, and the Other
Lives But a Few Minutes to Tell
the Story—Property Loss Will
Reach at Least \$375,000—The
Losses.

CHICAGO, Nov. 22.—The interior
of the Exchange building, a seven story
structure at the corner of Van Buren
and Franklin streets, was destroyed by
fire today, entailing a loss of \$375,000
upon the owners and tenants of the
building and causing the loss of five
lives, the fatal injury of two others
and the injury of six other people.

The dead are:
Patrick J. O'Donnell, lieutenant of
Engine company No. 2.
Martin Sherrick.
John Downs, pipeman.
John Prendergast, pipeman; all the
firemen were crushed by falling debris.

Kittie Landgraf, jumped from the
fourth story window, injured inter-
nally; died at the county hospital.

The injured:
Harry Nell, jumped from fourth
story window, internally injured and
left arm broken; will die.
Nellie Turner, jumped from third
story window, internally injured; will
die.

Aggie McClain, overcome by smoke;
will recover.
Oiga Keller, overcome by smoke;
will recover.
Hattie Brennan, overcome by smoke;
will recover.

Edna Ritter, overcome by smoke;
will recover.
Mary Pinky, overcome by smoke;
will recover.
Daniel McNally, driver, for engine
company No. 2, buried beneath debris;
will recover.

An Odor of Smoke

It was a few minutes before 9 o'clock
this morning when Rose Epone, em-
ployed by Stern & Beirs on the third
floor, noticed an odor of smoke. She
stepped out into a hallway, saw that
the ceiling was rapidly smoking with
smoke, and then gave an alarm. Thirty
girls were working in the room.

Instantly there was confusion. Al-
though the effort was made to check
the frightened girls, several opened the
windows and climbed out on the ledge.
One of the first to do this was Nellie
Turner. She screamed for help and
some one on the ground shouted for
her to jump. She, however, went to an-
other window, where a fire escape was,
and climbed out. Those on the street
saw her and shouted with great
anxiety. She grasped the escape and
swung herself off from the stone ledge
upon which she had stood, and hun-
dreds of eyes watched her fall. She
landed on the street below her.

She landed on the street below her.
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lar companies. The man reported the
matter to his superior officer, and ar-
rests for treason will probably follow.

the rescuers were compelled to
abandon their work.
O'Donnell's dead body was recovered
at 7 o'clock tonight.

The Losses.

There were forty-seven tenants in
the buildings, but many of them were
agents of eastern manufacturers and
their loss will be small. The heaviest
losers are:

Kohn, Nathan & Fisher, owners of
building, \$100,000; D. H. Arnold & Co.,
clothing supplies, \$20,000; S. Rosen-
berg & Co., tailors supplies, \$20,000;
Stern & Beirs, wholesale clothing,
\$20,000; Broadhurst, Lee & Co., cotton
and wool goods, \$25,000; S. D. Stryker,
dry goods, \$20,000.

The balance of the loss was divided
among the many small establishments
in the buildings, the losses running all
the way from a few hundreds to
\$10,000.

A NEW POSTOFFICE.

WASHINGTON, D. C., Nov. 22.—A
postoffice was today established at
Summit, Iron county, Utah, and Lette
B. Daily appointed postmaster.

THE PLATTE.

Brigadier-General Coppinger Makes
His Report For the Year.

WASHINGTON, Nov. 22.—In his an-
nual report Brigadier-General John G.
Coppinger, commanding the depart-
ment of the Platte, says that the only
disturbance last year necessitating the
use of troops, occurred last July in
the Jackson Hole country. As he made
this the subject of a special report to
the secretary of war, he gives but a
brief of the facts in this report and
sides with the Indians, as he did in
his September report.

General Coppinger says that on a
thorough inspection he found that all
the troops were well instructed and in
good condition for service.

He believes that in sobriety, intelli-
gence and deportment at least, the
enlisted personnel has greatly im-
proved in the past ten years. A further
proof of this is the fact that the
company No. 2, by forming the artisans into a sepa-
rate corps, dividing the privates and
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